

## DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

METHOD FOR PRODUCING AN ANION-EXCHANGING MINERAL AND USE OF SAID MINERAL

the specification of which:

(check one) ☒ is attached hereto  
☐ was filed on \_\_\_\_\_  
 as Application Serial No. \_\_\_\_\_  
 and was amended on \_\_\_\_\_  
 (if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56\*

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)			priority claimed
<u>197 43 606.4</u> (Number)	<u>Germany</u> (Country)	<u>2/October/1997</u> (Day/Month/Year Filed)	<u>X</u> yes no
<u>PCT/DE98/02927</u> (Number)	<u>International</u> (Country)	<u>2/October/1998</u> (Day/Month/Year Filed)	<u>X</u> yes no

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

\_\_\_\_\_  
 (Application Serial No.)

\_\_\_\_\_  
 (Filing Date)

\_\_\_\_\_  
 (Status: patented, pending, abandoned)

and any continuation applications thereof currently pending.

Power of Attorney: As a named inventor, I hereby appoint C. Lamon Whitham, Reg. No. 22,424, Marshall M. Curtis, Reg. No. 33,138, and Michael E. Whitham, Reg. No. 32,635, as attorneys and/or agents to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. All correspondence should be directed to Whitham, Curtis & Whitham, Reston International Center, 11800 Sunrise Valley Dr., Suite 900, Reston, Virginia 20191. Telephone calls should be directed to Whitham, Curtis & Whitham at (703) 391-2510.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

## Full Name of Sole

or First Inventor Hermann KuhlmannInventor's Signature [Signature] Date 31.3.2000Residence Karl-Leisler-Strasse 19, D-48249 Dulmen, GermanyCitizenship GermanPost Office Address Same as above

## Full Name of Joint

or Second Inventor Paul SwardInventor's Signature [Signature] Date 31.03.00Residence Gartenstrasse 18, D-48161 Munster, GermanyCitizenship BritishPost Office Address Same as above

## Full Name of Joint

or Third Inventor Josef-Christian BuhlInventor's Signature [Signature] Date 31.03.00Residence Helmstrassenweg 2, D-29339 Wathlingen, GermanyCitizenship GermanPost Office Address Same as above

## Full Name of Joint

or Fourth Inventor Kirstin BeaversInventor's Signature [Signature] Date 31.03.00Residence Lister Kirchweg 109, D-30177 Hannover, GermanyCitizenship GermanPost Office Address Same as above

## Full Name of Joint

or Fifth Inventor Manfred SchenkInventor's Signature [Signature] Date 31.03.00Residence Wolfsburger Damm 19, D-30625 Hannover, GermanyCitizenship GermanPost Office Address Same as above

Full Name of Joint

or Sixth Inventor Claus BühlInventor's Signature *Claus Bühl*Date 31.3.2000Residence Flohrgang 4, D-30456 Hannover, GermanyCitizenship GermanPost Office Address Same as above

## Title 37, Code of Federal Regulations, § 1.56:

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith toward the Patent and Trademark Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and (1) it establishes, by itself or in combination with other information, a prima facie case of unpatentability; or (2) it refutes, or is inconsistent with, a position the applicant takes in: (i) opposing an argument of unpatentability relied on by the Office, or (ii) asserting an argument of patentability.



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office

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Washington, D.C. 20231

NOVEMBER 13, 2000

PTAS

MCGUIRE WOODS, LLP  
MICHAEL E. WHITHAM  
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MCLEAN, VA 22102



UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 09/15/2000

REEL/FRAME: 011095/0144  
NUMBER OF PAGES: 2

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

KUHLMANN, HERMANN

DOC DATE: 08/25/2000

ASSIGNOR:

SEWARD, PAUL

DOC DATE: 08/25/2000

ASSIGNOR:

BUHL, JOSEF-CHRISTIAN

DOC DATE: 08/31/2000

ASSIGNOR:

BEAVERS, KIRSTIN

DOC DATE: 09/06/2000

ASSIGNOR:

SCHNEK, MANFRED

DOC DATE: 08/30/2000

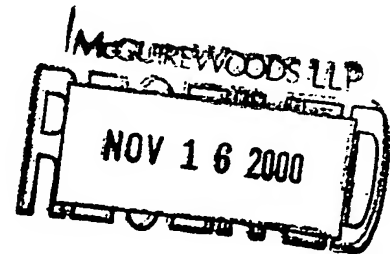
ASSIGNOR:

BULL, CLAUS

DOC DATE: 08/30/2000

ASSIGNEE:

HYDRO AGRI DEUTSCHLAND GMBH  
DULMEN, FED REP GERMANY



011095/0144 PAGE 2

SERIAL NUMBER: 09509743  
PATENT NUMBER:

FILING DATE: 06/02/2000  
ISSUE DATE:

KIMBERLY WHITE, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

09-26-2000

F COMMERCE  
ademark Office

PATENTS ON



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Tab settings

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original document and copy thereof.

1. Name of conveying party(ies):

Hermann Kuhlmann, Paul Seward, Josef-Christian Buhl,  
Kirstin Beavers, Manfred Schnek and Claus Bull

Additional names(s) of conveying party(ies)

☐ Yes ☒ No

3. Nature of conveyance:

☒ Assignment

☐ Merger

☐ Security Agreement

☐ Change of Name

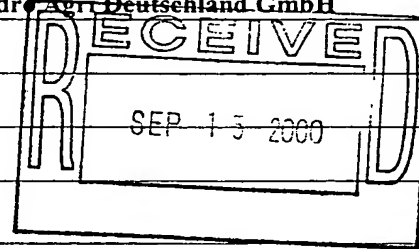
☐ Other

Execution Date: 8/25/00, 8/30-31/00 and 9/6/00

2. Name and address of receiving party(ies):

Name: Hydro Agri Deutschland GmbH

Address:



City: Dulmen

State/Prov.:

Country: Germany

ZIP:

Additional name(s) & address(es)

☐ Yes ☒ No

4. Application number(s) or registration numbers(s):

If this document is being filed together with a new application, the execution date of the application is:

Patent Application No.

Filing date

B. Patent No.(s)

09/509,743

6/2/00

Additional numbers

☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Michael E. Whitham

Registration No. 32,635

Address: McGuireWoods, LLP

1750 Tysons Blvd, Suite 1800

City: McLean

State/Prov.: VA

Country: US

ZIP: 22102

6. Total number of applications and patents involved:

1

7. Total fee (37 CFR 3.41):.....\$ 40.00

☒ Enclosed - Any excess or insufficiency should be credited or debited to deposit account

☐ Authorized to be charged to deposit account

8. Deposit account number:

23-1951

09/26/2000 MTHA11 00000032 09509743

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09/26/2000 Statement and signature.

40.00 OP

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Michael E. Whitham

Name of Person Signing

Signature

September 15, 2000

Date

Total number of pages including cover sheet, attachments, and

2

ASSIGNMENT OF INVENTION

WHEREAS, WE, Hermann Kuhlmann, Paul Seward, Josef-Christian Buhl, Kirstin Beavers, Manfred Schnek and Claus Bull, have invented certain new and useful improvements in for METHOD FOR PRODUCING AN ANION-EXCHANGING MINERAL AND USE OF SAID MINERAL, which a patent application was filed on June 2, 2000.

AND WHEREAS, Hydro Agri Deutschland GmbH, having a place of business in Dülmen, Germany referred to as Assignee, is desirous of acquiring an entire interest in said invention and in any Letters Patent which may be granted therefor.

NOW THIS INDENTURE WITNESSETH, That for a valuable consideration, the receipt of which is hereby acknowledged, we hereby assign, sell and transfer unto the said assignee, the entire right, title and interest in and to inventions disclosed in said application and in and to any Letters Patent of the United States and in and to any Letters Patent or Inventor's Certificates of any and all foreign countries which may be granted therefor, and in and to any and all priority and/or Convention rights or benefits accruing or to accrue to us with respect to the filing or securing of patents in the United States and/or securing of patents or inventor's certificates in any and all countries foreign thereto.

AND we hereby grant to assignee the right to apply in its own name for patents or inventor's certificates corresponding to the above invention in countries foreign to the United States.

AND we hereby further agree to sign and properly execute such necessary and lawful papers for application for foreign patents and inventor's certificates for filing applications for United States, foreign patents and inventor's certificates for subdivisions of any applications for patent or inventor's certificate and/or for obtaining any reissue or reissues of any Letters Patent which may be granted for my aforesaid invention and to perform such further acts as may be required to carry out the intent of this agreement as the assignee thereof shall hereafter require and prepare at assignee's expense.

x H. K.  
Hermann Kuhlmann

25.8.00  
Date

x P. A. Seward  
Paul Seward

x 25.08.00  
Date

x J.-Ch. Buhl  
Josef-Christian Buhl

31.08.00  
Date

x K. Beavers  
Kirstin Beavers

06.09.00  
Date

x M. Schenk  
Manfred Schenk

30.8.00  
Date

x C. Bull  
Claus Bull

30.8.00  
Date